THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 10164 of 2005

DATED:02.08.2005

Between:

Ch. Sunitha Chiknekar w/o.G.Madhukar, Hindi
District.

..... PETITIONER

AND

Government of A.P.rep by its Secretary Education (S.E.) Department,

Secretariat and others.

.....RESPONDENTS

HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO:10164 of 2005

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the 2nd respondent in granting approval in so far as her appointment against the aided vacancy of a School Assistant.

2. It is stated that the post of School Assistant fell vacant in the year 2003. Therefore, the 4th respondent sought for permission of the 3rd respondent who is the competent authority for filling up the vacancy and accordingly, the 3rd respondent issued proceedings approving the proposal sent by the 4th respondent for filling up the post of School Assistant. Thereafter, the same was notified and selections were held on 22-05-2004 and the petitioner was appointed on 24-05-2004. Thereafter, it is stated that the 4th respondent sent the proposals to the 3rd respondent seeking approval as to the appointment of the selected candidate for the post of School Assistant. The 3rd respondent also in turn sent proposals to the 2nd respondent by proceedings dated 23-08-2004 recommending the appointment of the petitioner as a School Assistant in the aided vacant post. It is stated that the 2nd respondent did not pass any orders perhaps in the light of the ban imposed by the 1st respondent by memo dated 20-10-2004. As the petitioner is not being paid any salary though she has been working from the academic year 2004-05, she has come up with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

4. Admittedly, the post of School Assistant fell vacant in the year 2003. Thereafter, the 3rd respondent approved the proposal sent by the 4th respondent for filling up the post and accordingly selections were held after inviting applications from the competing candidates and selections were also completed on 22-05-2004 and the petitioner was appointed after selection on 24-05-2004 as a School Assistant and has been working. However, the grievance of the petitioner is that she is not being paid any salary for want of approval from the 2nd respondent. In fact, the proceedings of the 3rd respondent is also filed in the material papers dated 23-08-2004 under which the 3rd respondent recommended to the 2nd respondent for grant of approval as to the appointment of the petitioner as a School Assistant, but no orders are passed.

5. Under the above circumstances, the writ petition is disposed of directing the second respondent to pass appropriate orders with reference to the approval of the appointment of the petitioner as a School Assistant in the 4th respondent School without reference to the ban imposed by the 1st respondent by its memo dated 20-10-2004, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No order as to costs.

S.ANANDA REDDY, J

02nd August, 2005

SKM